

HUMAN RIGHTS COMMISSION MEETING

APPROVED Minutes

March 19, 2020

Meeting occurred via Zoom Teleconferencing

Mr. Ford called meeting to order at 7:04 p.m.

Commissioners Present: Bob Ford (Chair), Scott Markow (Vice Chair), Lynda Earle (Vice Chair), Bianca Chang, Mabrooka Chaudhry, Joan Hash, Peter Hwang, Musa Jafri, Scott Markow, Leslie Salgado-Tamayo, Kui Zhao,

Staff Present: Yolanda F. Sonnier (Executive Secretary)

Legal Counsel: Melissa Goldmeier

I. PUBLIC FORUM

None

II. APPROVAL OF MINUTES

Scott made a motion to approve the February 20, 2020 minutes. Joan 2nd the motion. All Commissioners in attendance voted in favor of accepting the minutes as distributed except Musa who abstained from the vote. **February 20, 2020 minutes were approved.**

III. CHAIR'S REPORT – BOB

➤ Questions for Melisa, Legal Counsel

- Do we need to go into closed session?
 - Melissa, the questions are procedural, and don't qualify as seeking legal advice.
- Does legal counsel attend all meetings, per the Rules and Procedures?
 - Melissa, in the past, the Chair only wanted me to attend when legal advice was needed.
 - Scott, Josh wanted to ask what the process is of amending the Rules and Procedures
 - Melissa, per 1.106 Amendments
 - Make a recommendation to the commission, upon a vote
 - Prior to amending the rule, a notice must be published in two newspapers on at least two occasions with the proposal rule
 - A Public hearing for comments
 - Then the Commission can vote to change the Rules and Procedure
 - Scott asked if the Commission can waive an enforcement on a rule
 - Melissa said yes
- The Howard County Code, Subtitle 2, Section 12.200 Subtitle III states eliminating discriminatory practices included sixth areas. Which conflicts with the OHR pamphlet, it doesn't mention a sixth area.
 - Leslie asked, why isn't the statement: "Any other facts of the lives of its citizens where such practices may be found to exists" included in the OHR pamphlet. We should have consistency.
 - Bob asked Leslie if she was asking OHR to change their pamphlet?
 - Joan asked Leslie for clarification on whether her two issues are: 1) language consistency between the pamphlet and the code and 2) examples of what the 6th language should include.
 - Leslie requested Melissa provide examples
 - Melissa indicated she didn't have any examples outside of what's already defined in the code
 - Yolanda explained that the sixth area can and is addressed with outreach efforts of education and celebratory events.
 - Yolanda requested any suggestions to HRCs brochures should contact her to discuss and Commissioners don't have to wait until the meeting to have these discussions.

- Melissa indicated the pamphlet isn't binding and if HRC want to create its own pamphlet or just work with OHR to make it more consistent with the code that's fine.
- Scott - if I understand the code there are only 5 areas there is a cause of action that someone can file for discrimination?
- Melissa – indicated yes, including that six area
- Scott, if you add to the pamphlet, OHR may have a lot of filing that aren't define in the 5 areas. That could cause a drain on the office.
- Joan agrees with Scott and the pamphlet is an abstract to avoid reading the code and I don't see any conflict.
- Leslie - I felt that the language is contradictory, and it should be more consistent.
- The Commission asked Leslie if she had any examples on what she felt area six should consist of
- Leslie responded she would need to think about it and the pamphlet should be reflective of the code
- Linda - area 6 is broad to me, and no example were given because the phrase was included as a catch all for those cases that don't already fall under the 5 other areas. She doesn't feel it's a conflict and is okay with a catch all being included in the brochure.
- Bob – recommended Yolanda and Leslie speak further about this issue. The pamphlet is for the OHR and the Commission can discuss creating a separate pamphlet for HRC later.

➤ Panels

- Bob read the list of panels and asked if there were any questions
 - Scott - panel 3 has 4 members instead of 3. Per the Rules of Procedures, it states at least 3 members, so we are legally were within our rules, but does anyone have issues with having an even number on a panel? Just in case it was a tie vote. No one expressed an issue with having a 4th member on the one panel.
 - Bob suggested putting Leslie as a swing?
 - Scott suggested have a floater when someone isn't available
 - Joan suggested rotating members
 - Yolanda reminded the Commission that the panels would rotate hearing cases
 - Yolanda indicated when we get the new commissioner, we can create another panel
 - Bob stated since the panels don't come up frequently we keep them as is for now

Bob thanked everyone for their flexibility through the COVID-19 Pandemic. Just as a reminder since this will most likely be our new norm for a few months, during conference call if we could remember not to speak over one another.

IV. EXECUTIVE SECRETARY REPORT

Executive Secretary Report was circulated prior to the meeting

➤ OHR

- Some staff still working in office and others teleworking
- County offices are closed to the public
- Intakes are being done via web and telephone
- Investigators are continuing with investigations and interviews

➤ Case Report

- The monthly case statistics were printed on the report
- Reconsideration hearing heard in January was conclude in February; HRC denied reconsideration
- Two conciliations conducted in February. One concluded this month and the other one is waiting to resolve.
- Part time Outreach Position was filled

➤ HBI's reported in February - 5

- 3 Verbal Intimidation (2 Anti-Black and 1 Anti-Jewish)
- 1 Simple Assault (Anti-Black) – Assault was suspect spit on the victim
- 1 Other (Anti-Jewish) – student was called “fat jew”

➤ Outreach matters have been cancelled because of COVAD-19

- HRC received an appeal but Commission needs to discuss deadline issue. Per the County Executive and Governor executive orders, legal deadlines must be extended.
 - Melissa indicated if the Respondent does not respond, HRC will have to allow them to respond 30 days after the state of emergency is lifted plus the 10 days HRC allows
 - Commission discussed options to wait until the time indicated in the executive order or have Chaunta follow up with Respondent.
 - Commission would like for Chaunta, HRC recording secretary, to follow up with Respondent to ensure they received the information and to ensure they can respond within the time frame.

Bob asked if the open Commissioner position is being extended, and if interviews will be conducted during this time?

Yolanda responded the Press release was sent out and we haven't received any responses.

Peter asked about the current deadline.

Yolanda responded the current deadline is March 31th. After the state of emergency is lifted and we are back to work, we could consider doing another press release extending the deadline. OHR outreach will also repost it on social media sites.

Peter agreed with Yolanda and added we can see if we get applicants prior to the deadline date. If we don't receive any new applicants, we can revisit previous applicants.

Bianca asked if the office is closed how does the applicant submit their information to the office?

Yolanda responded, we are closed to the public, but the staff is still teleworking, and applicants can submit their applications electronically.

V. Committees Reports

a. Awards:

Bianca - The Human Rights Award ceremony has been pushed out with a tentative date of May 28, 2020.

b. Outreach:

Mabrooka – Submitted two reports 1) The HRC Annual Report for 2020 reflects events for Jan-February. March and April may not reflect any events due to COVID-19. Commissioners should review report and email Mabrooka with any updates or changes. 2) Outreach Committee - Met to discuss their priorities and purpose, they established 4 goals and timelines, as included in their submitted report.

c. Census/Voting:

Kui – Everyone should have received the mailing with your census code, online has been up and running since March 9, 2020. If you don't have the code, you can use your mailing address. The homeless count will be doing in middle of March which may change due to COVID-19. They will be sending mailing out for those who don't complete their submission online.

d. Nominating:

Bob inquired the status of the vacate commission position and the deadline

Yolanda informed him that our office will reach out to Kim Pruim on status, as of now the deadline in 3/31/2020.

e. Legislation:

Peter – The committee met with Kui on process she used in the past to monitor Legislation. The committee with meet to come up with a plan and divvy up duties on how they will proceed.

f. Immigration:

Joan – The committee is still during research, collating data and setting up interviews. Leslie stated they have a

upcoming meeting in April which will probably have to be postponed.

g. Hate Crimes:

Bianca – the committee met March 1st and decided on a purpose and came up with some objectives.

Committee Reports are attached to minutes

VI. NEW BUSINESS/ANNOUNCEMENTS

- Lynda – ICE has temporarily halted enforcement efforts except for foreign nationals who are a threat and gang members who have been convicted of crimes.
- Kui – 11 Million families have responded to the Census so far but there are 170 Million families in the US. There is only 6.7% of families that have participated thus far.
- Kui – The Howard County Times published in the paper today the announcement about the vacancy on HRC as well as the vacancies on the MLK Commission.
- Yolanda – the NAACP Freedom Fund Brunch has been postponed from May 2nd until September 26th and the Maryland Commission on Civil Rights (MCCR) Gala scheduled for April 25th has been postponed to September 5th.
- Joan asked about the Howard County Women's Hall of Fame event. Yolanda indicated she hasn't received anything specific about the event but she is sure it has been postponed because it wouldn't be in compliance with the County Executive and Governor's directives on public gatherings.

VII. CLOSED SESSION

No closed session this month.

VIII. ADJOURNMENT

- Joan made a motion to adjourn the meeting. Lynda 2nd the motion.
- Meeting Adjourned at 8:15 pm